

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STATE FARM FIRE AND CASUALTY \$
COMPANY and STATE FARM MUTUAL \$
AUTOMOBILE INSURANCE COMPANY, \$

Plaintiffs, \$

v. \$

CHARLES E. FITTS, JR., \$

Defendant. \$

#10
CIVIL ACTION NO. H-95-5177

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
ENTERED

MAY 24 1996

ORDER

Michael N. Milby, Clerk

By letter dated May 10, 1996, pro se defendant, Charles E. Fitts, Jr., has requested that the court stay this action pending Fitts' appeal of his criminal conviction. The letter does not reflect that a copy was sent to opposing counsel. Even though Fitts is proceeding pro se he is nevertheless obligated to follow the Federal Rules of Civil Procedure and the rules of this court, both of which require that copies of any communications with the court be sent to opposing counsel. The clerk is ORDERED to docket Fitts' May 10, 1996, letter as a motion and to mail a copy of the letter to opposing counsel.

The initial pretrial and scheduling conference currently set for June 7, 1996, at 2:00 p.m. is CANCELED. The conference will be held on June 21, 1996, at 4:00 p.m. by telephone. Fitts is ORDERED to provide prison officials with a copy of this Order

and to provide the court and opposing counsel with a telephone number within the prison at which he can be reached for purposes of the pretrial and scheduling conference. The court will initiate the telephone conference.

SIGNED at Houston, Texas, on this 23rd day of May, 1996.



SIM LAKE
UNITED STATES DISTRICT JUDGE